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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,014	10/24/2003	Matthew Paul Rhoten	5486-0204PUS1	8518

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EXAMINER

CHAI, LONGBIT

ART UNIT	PAPER NUMBER
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2131

MAIL DATE	DELIVERY MODE
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02/19/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No.	Applicant(s)	
	10/692,014	RHOTEN ET AL.	
	Examiner	Art Unit	
	LONGBIT CHAI	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-11 and 21-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-11 and 21-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Presently, pending claims are 1, 3 – 11 and 21 – 27.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/25/2008 has been entered.

Response to Argument

3. Applicant's arguments with respect to instant claims have been fully considered but are moot in view of the new ground(s) of rejection necessitated by Applicant's amendment.

Claim Objections

4. Claim 25 is objected to because of the following informalities: "the first and second storages" should be replaced with "the first and the second storages" (please see claim 24). Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4, 10, 21, 23 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gottsman (U.S. Patent 2002/0243772), in view of Bajikar (U.S. Patent 6,577,274).

As per claim 4, Gottsman teaches a computer device comprising:

a display (Gottsman: Figure 2 / Element 222);

a random access memory storing system information (Gottsman: Figure 2 / Element 112);

a storage having at least one file (Gottsman : Para [0118]: a text file);

a processor controlling a secure state and an insecure state of said computer device, said processor having at least one application that is executed while said computer device is in said insecure state (Gottsman : Para [0116] Line 9 – 15: the screen saver mode is interpreted as a insecure state and an application allows the user to rapidly obtain the meeting information).

However, Gottsman does not disclose expressly causing the computer device transitions from a standby state directly to the insecure state, wherein the and wherein standby state is a state during the display is powered off and the random access memory remains powered; and control transitions from the insecure state to the secure state are controlled based on a user login.

Bajikar teaches causing the computer device transitions from a standby state directly to the insecure state, wherein the and wherein standby state is a state during the display is powered off and the random access memory remains powered; and control transitions from the insecure state to the secure state are controlled based on a user login (Bajikar: Column 3 Line 59 – 63: (a) a state upon the expiration of a pre-determined lead idle time is qualified as a standby state that directly transits the computer access state into a insecure state (i.e. the state

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of screen saver is a "insecure state") -- Examiner notes this standby state activated upon the expiration of a pre-determined lead idle time is indeed causing the display to be powered off while the random access memory to remain powered as a basic feature of a screen saver mode and (b) transitions from the insecure state (screen saver) to the secure state are controlled based on a user login "passwords" to re-authenticate the user to re-enter the secured state).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Bajikar within the system of Gottsman because (a) Gottsman teaches allowing the user to rapidly obtain / access the meeting information during the insecure screen saver mode (Gottsman : Para [0116] Line 9 – 15) and (b) Godfrey teaches requiring a user login "passwords" to re-authenticate the user to re-enter the secured mode from the insecure screen saver mode (Bajikar: Column 3 Line 59 – 63).

As per claim 10, Gottsman as modified teaches a storage for storing information when said system is in said secure state, said information originating from said application interacted with while said system was in said insecure state (Bajikar: Column 3 Line 59 – 63: transitions from the insecure state (screen saver) to the secure state are controlled based on a user login "passwords" to re-authenticate the user to re-enter the secured state – i.e. a storage for storing password information).

As per claim 21 and 23, Gottsman as modified teaches the computer device being a tablet PC or a personal digital assistant (PDA) (Bajikar: Column 3 Line 59 – 63: (a) Bajikar teaches the computer device is a mobile device and (b) Official Notice is taken that the use of PDA is a well-known portable computer technology in the field. Therefore, it would have been

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obvious to a person of ordinary skill in the art at the time the invention was made to use PDA as a mobile device within the system of Bajikar).

As per claim 27, Gottsman as modified teaches preventing the at least one application from accessing the sensitive information while the computer device is in the insecure state (Bajikar: Column 3 Line 62 – 63: preventing from accessing the sensitive information while the computer device is in the insecure state by requiring password for re-authentication the user in order to accessing the sensitive information).

6. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gottsman (U.S. Patent 2002/0243772), in view of Bajikar (U.S. Patent 6,577,274), and in view of Chiu et al. (U.S. Patent 2002/0161804).

As per claim 5, Gottsman as modified does not disclose expressly said application is a note taking application for receiving textual notes.

Chiu teaches said application is a note taking application for receiving textual notes (Chiu : Para [0006]: the meeting minutes information includes text file).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Chiu within the system of Gottsman as modified because (a) Gottsman teaches allowing the user to rapidly obtain / access the meeting information during the insecure screen saver mode (Gottsman : Para [0116] Line 9 – 15) and (b) Chiu teaches the meeting information includes an text-based file (Chiu : Para [0006]).

As per claim 6, Gottsman as modified does not disclose expressly said application is a note taking application for receiving handwritten notes in electronic ink.

Chiu teaches said application is a note taking application for receiving handwritten notes in electronic ink (Chiu : Para [0006] and Para [0012]: electronic / digital ink can be used as meeting notes beside the text-based file).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Chiu within the system of Gottsman as modified because (a) Gottsman teaches allowing the user to rapidly obtain / access the meeting information during the insecure screen saver mode (Gottsman : Para [0116] Line 9 – 15) and (b) Chiu teaches the meeting information includes an electronic note taking application such as electronic / digital ink (Chiu : Para [0006] and Para [0012]).

7. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gottsman (U.S. Patent 2002/0243772), in view of Bajikar (U.S. Patent 6,577,274), and in view of Ng (U.S. Patent 6,903,743).

As per claim 7, Gottsman as modified does not disclose expressly said application is a voice recording application.

Ng teaches said application is a voice recording application (Ng : Column 1 Line 64).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Ng within the system of Gottsman as modified because (a) Gottsman teaches allowing the user to rapidly obtain / access the meeting information during the insecure screen saver mode (Gottsman : Para [0116] Line 9 – 15) and (b)

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Ng teaches allowing the user to access a voice recording application during the insecure screen saver mode (Ng : Column 1 Line 64).

8. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gottsman (U.S. Patent 2002/0243772), in view of Bajikar (U.S. Patent 6,577,274), and in view of Shimizu (JP 410340146A).

As per claim 8, Gottsman as modified does not disclose expressly said application being a calculator program.

Shimizu teaches said application being a calculator program (Shimizu: the sections of Abstract & Solution: the real working time of a personal computer is calculated every time a screen saver is invoked within a fixed period so that a warning display can be performed to remind the user of the personal computer to take a proper measure to manage his own health – thereby “calculator program” must be included for calculating purpose).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Godfrey within the system of Gottsman as modified because (a) Gottsman teaches allowing the user to rapidly obtain / access the information as needed during the insecure screen saver mode (Gottsman : Para [0116] Line 9 – 15) and (b) Shimizu teaches the real working time of a personal computer can be calculated every time a screen saver is invoked within a fixed period so that a warning display can be performed to remind the user of the personal computer to take a proper measure to manage his own health (Shimizu: the sections of Abstract & Solution).

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9. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gottsman (U.S. Patent 2002/0243772), in view of Bajikar (U.S. Patent 6,577,274), and in view of Kim (Korea Patent KR-2002/033294).

As per claim 9, Gottsman as modified does not disclose expressly said application is a game.

Kim teaches said application is a game (Kim : section of Novelty).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Kim within the system of Gottsman as modified because (a) Gottsman teaches allowing the user to rapidly obtain / access the meeting information during the insecure screen saver mode (Gottsman : Para [0116] Line 9 – 15) and (b) Kim teaches allowing the user to access a computer game application during the insecure screen saver mode (Kim : section of Novelty).

10. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gottsman (U.S. Patent 2002/0243772), in view of Bajikar (U.S. Patent 6,577,274, and in view of Godfrey et al. (U.S. Patent 6,463,463).

As per claim 11, Gottsman as modified does not disclose expressly said application being a calendaring program that displays calendar data from said file.

Godfrey teaches said application being a calendaring program that displays calendar data from said file (Godfrey : Column 21 Line 9 – 12: the meeting request information contained in the file attachment of the eMail message can be displayed by the calendaring program application).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Godfrey within the system of Gottsman as modified because (a) Gottsman teaches allowing the user to rapidly obtain / access the meeting information during the insecure screen saver mode (Gottsman : Para [0116] Line 9 – 15) and (b) Godfrey teaches the meeting request information contained in the file attachment of the eMail message can be displayed by the calendaring program application (Godfrey : Column 21 Line 9 – 12).

11. Claims 22 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gottsman (U.S. Patent 2002/0243772), in view of Bajikar (U.S. Patent 6,577,274, and in view of Godefroid et al. (U.S. Patent 6,697,840).

As per claim 22, Gottsman as modified teaches a first storage having a first file containing non-sensitive information, the first file being accessed by the at least one application while the computer device is in the insecure state (Gottsman: Para [0116] Line 4 – 15: a database that contains the information being access by a screen saver (i.e. in the insecure state) is qualified as a first storage); a second storage having sensitive and non-sensitive information (Gottsman: Figure 1 / Element 116: the main storage of hard drive contains all information including both sensitive and non-sensitive information).

However, Gottsman does not disclose expressly the first storage is synchronized with information in the second storage during a predetermined time period of event, wherein said second storage has a second file accessed by the at least one application, or by another application executed by the processor, while the computer device is in the secure state, and

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wherein at least part of the non-sensitive information in the second file is transferred to the first file during the synchronization.

Godefroid teaches the first storage is synchronized with information in the second storage during a predetermined time period of event, wherein said second storage has a second file accessed by the at least one application, or by another application executed by the processor, while the computer device is in the secure state, and wherein at least part of the non-sensitive information in the second file is transferred to the first file during the synchronization (Godefroid: Column 5 Line 9 – 14 / Line 1 – 2: the screen saver activity is automatically generated (and temporarily saved) by the user interface and can be explicitly updated (i.e. synchronized) this presence / activity information by logging to the computer (i.e. secured state)).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Godefroid within the system of Gottsman as modified because (a) Gottsman teaches allowing the user to rapidly obtain / access the meeting information during the insecure screen saver mode (Gottsman : Para [0116] Line 9 – 15) and (b) Godefroid teaches the screen saver activity is automatically generated (and temporarily saved) by the user interface and can be explicitly updated (i.e. synchronized) this presence / activity information by logging to the computer (i.e. secured state) (Godefroid: Column 5 Line 9 – 14 / Line 1 – 2).

As per claim 26, Gottsman as modified teaches prevents the at least one application from accessing the second storage while the computer device is in the insecure state (Bajikar: Column 3 Line 62 – 63: preventing from accessing the sensitive information while the computer

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device is in the insecure state by requiring password for re-authentication the user in order to accessing the sensitive information).

12. Claims 1, 3, 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gottsman (U.S. Patent 2002/0243772), in view of Bajikar (U.S. Patent 6,577,274), in view of Chiu et al. (U.S. Patent 2002/0161804), in view of Shimizu (JP 410340146A), and in view of Godefroid et al. (U.S. Patent 6,697,840).

As per claim 1 (& dependent claim 3), the claim limitation(s) encompasses the same scope as described in claim 1, claim 5, claim 8 and claim 22. See the same rationale set forth as above.

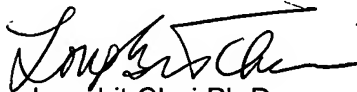
As per claim 24 and 25, Gottsman as modified teaches the first and second storages are either physically separate storage devices (or on the same physical device) (Gottsman: Para [0116] Line 4 – 15: a database that contains the information being access by a screen saver (i.e. in the insecure state) is qualified as a first storage which can be located either physically separate storage devices or on the same physical device as the second storage).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LONGBIT CHAI whose telephone number is (571)272-3788. The examiner can normally be reached on Monday-Friday 9:00am-5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Longbit Chai Ph.D.

Patent Examiner

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2/13/2008